

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

STEVEN R. LEWIS,

Plaintiff,

v.

Case No. 12-10293

Honorable John Corbett O'Meara

WASTE MANAGEMENT OF MICHIGAN, INC.,

Defendant.

ORDER OF PARTIAL DISMISSAL

Plaintiff Steven R. Lewis filed a three-count complaint in this court January 23, 2012, alleging the following causes of action: discrimination under the Americans with Disabilities Act (Count I); retaliation under the Americans with Disabilities Act (Count II); and discrimination under Michigan's Persons with Disabilities Civil Rights Act.

Although Plaintiff's federal causes of action are cognizable in this court pursuant to 28 U.S.C. § 1331, the remaining allegations present a claim based solely on state law. This court declines to exercise supplemental jurisdiction over Plaintiff's state law claim in order to avoid jury confusion. See 28 U.S.C. § 1337(c); United Mine Workers v. Gibbs, 383 U.S. 715 (1966); and Padilla v. City of Saginaw, 867 F. Supp. 1309 (E.D. Mich. 1994). Accordingly, it is hereby **ORDERED** that Count III is **DISMISSED**.

s/John Corbett O'Meara
United States District Judge

Date: March 8, 2012

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, March 8, 2012, using the ECF system.

s/William Barkholz
Case Manager